

Ordinance No. 123097

Council Bill No. 116632

An Ordinance accepting and authorizing the use of grant funds from the US Department of Justice (DOJ), Bureau of Justice Assistance allocated through the American Recovery and Reinvestment Act of 2009; authorizing the Mayor or his designee to execute related agreements; increasing an appropriation in the 2009 Adopted Budget for the Police Department; creating two new positions; and ratifying and confirming prior acts; all by a three-fourths vote of the City Council.

CF No. _____

Date Introduced:	<u>9-8-09</u>		
Date 1st Referred:		To: (committee) <u>Finance + Budget</u>	
Date Re - Referred:		To: (committee)	
Date Re - Referred:		To: (committee)	
Date of Final Passage:	<u>9-21-09</u>	Full Council Vote: <u>9-0</u>	
Date Presented to Mayor:	<u>9-22-09</u>	Date Approved: <u>9-24-09</u>	
Date Returned to City Clerk:	<u>9-24-09</u>	Date Published: <u>5</u>	T.O. <input checked="" type="checkbox"/> F.T. <input type="checkbox"/>
Date Vetoed by Mayor:		Date Veto Published:	
Date Passed Over Veto:		Veto Sustained:	

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: _____

Jean Golden

Councilmember

Committee Action:

y-JG, SC pass ~~amended~~

9-21-09 Passed 9-0

This file is complete and ready for presentation to Full Council. Committee: _____
(initial/date)

Law Department

Law Dept. Review

OMP
Review

City Clerk
Review

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ORDINANCE 123097

AN ORDINANCE accepting and authorizing the use of grant funds from the US Department of Justice (DOJ), Bureau of Justice Assistance allocated through the American Recovery and Reinvestment Act of 2009; authorizing the Mayor or his designee to execute related agreements; increasing an appropriation in the 2009 Adopted Budget for the Police Department; creating two new positions; and ratifying and confirming prior acts; all by a three-fourths vote of the City Council.

WHEREAS, the United States Congress has authorized \$1,970,933,000 in the Justice Assistance Grant (JAG) Program as part of the American Recovery and Reinvestment Act of 2009 ("ARRA"); and

WHEREAS, the City submitted an application to the Bureau of Justice Assistance on May 18, 2009 to request JAG Program funds; and

WHEREAS, based on the City's successful application, the Bureau of Justice Assistance has awarded \$4,882,208 to the City of Seattle from these JAG Program funds; and

WHEREAS, the City negotiated an agreement with 18 disparate jurisdictions within King County regarding the total federal award; and

WHEREAS, the City of Seattle Police Department will administer the grant award for 18 disparate jurisdictions within King County;

WHEREAS, the ARRA grant funding constitutes one-time funding for the preservation of essential personnel within the Police Department and the purchase of essential law enforcement equipment; and

WHEREAS, the City is not obligated to continue or maintain ARRA grant funding levels for the JAG Program once ARRA grant funds have lapsed; and

WHEREAS, pursuant to the terms of the grant, the City intends to transfer some of the ARRA funds it receives to co-applicants; and

WHEREAS, recipients of ARRA funds from the City should not anticipate the City will assume responsibility for any program costs funded by ARRA once ARRA funds are spent; and

WHEREAS, the City Council wishes to increase an appropriation in the 2009 Adopted Budget for the Police Department to reflect the anticipated receipt and authorize the expenditure of these JAG Program funds; NOW, THEREFORE,



BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City of Seattle hereby accepts ARRA funds from the Bureau of Justice Assistance for the JAG Program in the amount of \$4,882,208 for the purpose of preserving essential positions and purchasing essential law enforcement equipment in the Police Department. Specifically the City of Seattle's funds will be used for:

- Preservation of 6.0 FTE Crime Prevention Coordinators;
- Preservation of 7.0 FTE Victim Advocates;
- 0.5 FTE Grant Coordinator to provide oversight of the grant on behalf of the City of Seattle and 18 other jurisdictions in King County;
- 0.5 FTE Accounting Technician to provide oversight of the grant on behalf of the City of Seattle and 18 other jurisdictions in King County;
- Purchase of 126 tasers;
- Continued support of the AmeriCorps and Vista Programs.

The sum of \$2,810,111 designated for the 18 other King County jurisdictions in accordance with the terms of the grant, shall be distributed by the Chief of Police to those jurisdictions to be used for the projects as specified in Attachment A.

The Mayor or his designee is authorized to execute and deliver and perform for and on behalf of the City of Seattle such agreements and certifications as may be necessary to accept the ARRA funds. These funds are hereby accepted and shall be deposited into the funds named in Section 2 to reimburse the appropriation made in Section 2. The Mayor or his designee is further authorized to execute and deliver documents relating to the agreements if required by federal guidelines.

Section 2. To carry out the purpose of the agreements authorized in Section 1, and contingent upon the execution of those agreements, and in order to meet actual necessary expenditures of the City for which insufficient appropriations have been made due to causes that



could not reasonably have been foreseen at the time of the making of the 2009 Budget, the appropriation for the following in the 2009 budget is increased as follows:

Fund	Department	Budget Control Level	Amount
General Subfund (00100)	Police	Chief of Police #P1000	\$2,810,111
General Subfund (00100)	Police	Deputy Chief Administration #P1600	\$288,255
General Subfund (00100)	Police	West Precinct #P6100	\$426,775
General Subfund (00100)	Police	North Precinct #P6200	\$166,771
General Subfund (00100)	Police	South Precinct #P6500	\$166,770
General Subfund (00100)	Police	East Precinct #P6600	\$36,768
General Subfund (00100)	Police	Southwest Precinct #P6700	\$166,770
General Subfund (00100)	Police	Violent Crimes #P7100	\$234,282
General Subfund (00100)	Police	Special Victims #P7900	\$585,706
		Total:	\$4,882,208

Unspent funds shall carry forward to subsequent years until they are exhausted or abandoned by ordinance.



Section 3. To provide personnel resources to oversee the joint JAG Program award on behalf of 19 jurisdictions in King County, the following positions are created in the Police Department:

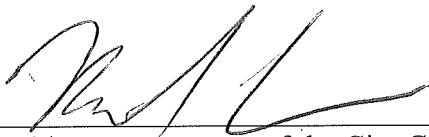
Department	Position	# of Positions	Type
Police	Planning & Development Specialist, Sr.	1	Half Time
Police	Accounting Tech, III	1	Half Time

The Chief of Police is authorized to fill the same subject to Civil Service personnel laws and rules, provided that when grant funding is no longer available, the Planning & Development, Sr. position and the Accounting Tech, III position shall be abrogated.

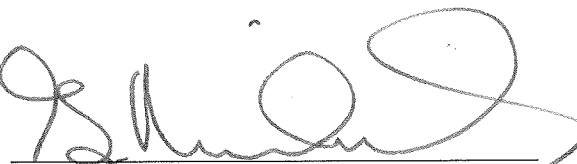
Section 4. Any act authorized by this ordinance and taken after its passage is ratified and confirmed.

Section 5. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

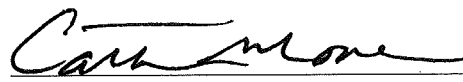
1 Passed by a three-fourths vote of the City Council the 21st day of
2 September, 2009, and signed by me in open session in authentication of its
3 passage this
4 21st day of September, 2009.
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7 
8 President _____ of the City Council

9 Approved by me this 24th day of September, 2009.
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14 Gregory J. Nickels, Mayor

15 Filed by me this 24th day of September, 2009.
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18 
19 City Clerk

20 (Seal)

21 Attachment A
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Attachment A

Following is a list of entities, including the City of Seattle and 18 additional jurisdictions, receiving ARRA JAG program funding, along with brief descriptions of projects:

	Allocation Amount
City of Auburn	
Community Policing	\$40,000
Court Services "Alternatives to Incarceration"	\$50,000
Video Surveillance System	\$71,101
	\$161,101
City of Bellevue	
Tasers for First Responders	\$61,960
Out of State Training/Backfill Overtime	\$34,975
	\$96,935
City of Bothell	
Crime Scene Processing Response Vehicle	\$21,192
	\$21,192
City of Burien	
Preservation of Burien School Resource Officer Position	\$103,999
	\$103,999
City of Covington	
Active Shooter Equipment & Training for Patrol Officers	\$20,800
	\$20,800
City of Des Moines	
Prisoner Transport Van	\$53,750
Courtroom Safety Improvements	\$11,005
	\$64,755
City of Federal Way	
Records Management System Technology Enhancements	\$83,079
800 MHZ Radio Improvements	\$30,000
Valley Civil Disturbance Unit Training/Backfill	\$15,000
Expand Wi-Fi and Surveillance Cameras for Police	\$45,000
Taser Replacement	\$10,000
	\$183,079
City of Kenmore	
Active Shooter Equipment	\$12,725
SECTOR Programs	\$4,150
	\$16,875
City of Kent	
Corrections Programs	\$298,930
Law Enforcement Training	\$8,555
	\$307,485



King County

Replacement of King County Sheriff's Records Management (IRIS) & Evidence Management Systems (TESS)	\$879,825
Prosecutor E-File System	\$84,060
Law Enforcement & Justice IT Program	\$299,621
IT System Jail Improvements	\$49,994
	\$1,313,500

City of Kirkland

Municipal Court Security	\$45,524
	\$45,524

City of Maple Valley

Active Shooter Training	\$11,185
	\$11,185

City of Redmond

Report Computers	\$6,400
Pro-Act Laptops	\$13,500
Computer Forensics Lab Equipment	\$24,839
	\$44,739

City of Renton

Public Safety Portable Live Scan Fingerprint Unit	\$21,800
Investigations Equipment	\$27,058
Paperless Infraction Imaging System	\$59,387
Probation Case Management System	\$35,000
	\$143,245

City of SeaTac

Law Enforcement Training	\$27,250
Equipment Purchases	\$41,146
Municipal Court Programs	\$15,000
	\$83,396

City of Seattle

Crime Prevention Coordinator - Preservation of 6 Positions	\$780,014
Victim Advocate - Preservation of 7 Positions	\$819,988
Grant Coordinator - .5 FTE (Creation of half time position)	\$100,891
Accounting Tech - .5 FTE (Creation of half time position)	\$80,364
Taser Purchase	\$183,840
AmeriCorps & Vista Program Support	\$107,000
	\$2,072,097

City of Shoreline

Police Officer Safety & Security	\$22,175
Regional Jail Planning	\$52,391
	\$74,566



Diane Pilon/DP

Filename (ARRA JAG Grant ORD Attachment A

August 11, 2009

Version # 1

City of Tukwila

Police Mobile Command Post (Vehicle and Vendor Selection)	\$104,980
	\$104,980

City of Woodinville

Crime Prevention & Education Program	\$12,755
	\$12,755

Total Joint Allocation	\$4,882,208
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FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Police	Diane Pilon / 6-1996	Jennifer Albright / 4-5211

Legislation Title:

AN ORDINANCE accepting and authorizing the use of grant funds from the US Department of Justice (DOJ), Bureau of Justice Assistance allocated through the American Recovery and Reinvestment Act of 2009; authorizing the Mayor or his designee to execute related agreements; increasing an appropriation in the 2009 Adopted Budget for the Police Department; creating two new positions; and ratifying and confirming prior acts; all by a three-fourths vote of the City Council.

• Summary of the Legislation:

This legislation authorizes the acceptance of grant funds made available through the American Recovery and Reinvestment Act of 2009 (“ARRA”) and increases the 2009 Adopted Budget to authorize new expenditures.

• Background:

The American Recovery and Reinvestment Act of 2009 has allocated \$1,970,933,000, through the Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program, to eligible local governments to support a broad range of law enforcement activities to prevent and control crime based on each jurisdiction’s local needs and conditions. Funds are allocated to local jurisdictions based on population and Part I crime statistics.

The City of Seattle, serving as the fiscal agent for this award, will share the fiscal year 2009 ARRA JAG award of \$4,882,208 with 18 disparate jurisdictions within King County. In a disparate situation, the units of local government must apply for an award with a single, joint application.

Jurisdictions may not obligate, expend or drawdown funds until Bureau of Justice Assistance (BJA) has received documentation demonstrating that the City of Seattle’s governing body review and community notification requirements have been met and BJA has issued a Grant Adjustment Notice releasing this special condition.

Jurisdictions, including the City of Seattle, are required to provide data that measures the result of their work. In addition to specific performance measures related to selected projects, jurisdictions are required to report on two specific ARRA objectives, which are job preservation and job creation.

Following is a list of entities, including the City of Seattle and 18 additional jurisdictions, receiving ARRA JAG program funding, along with brief descriptions of projects:

	Allocation Amount
City of Auburn	
Community Policing	\$40,000
Court Services "Alternatives to Incarceration"	\$50,000
Video Surveillance System	\$71,101
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City of Des Moines	
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City of Shoreline

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Regional Jail Planning	\$52,391



	\$74,566
City of Tukwila	
Police Mobile Command Post (Vehicle and Vendor Selection)	\$104,980
	\$104,980
City of Woodinville	
Crime Prevention & Education Program	\$12,755
	\$12,755
Total Joint Allocation	\$4,882,208

 This legislation does not have any financial implications. (Stop here and delete the remainder of this document prior to saving and printing.)

 X **This legislation has financial implications.** (Please complete all relevant sections that follow.)

***Appropriations:** This table should reflect appropriations that are a direct result of this legislation. In the event that the project/programs associated with this ordinance had, or will have, appropriations in other legislation, please provide details in the Notes section below.*

Fund Name and Number	Department	Budget Control Level*	2009 Appropriation	2010 Anticipated Appropriation
General Subfund (00100)	Police	P1000-Chief of Police	\$2,810,111	
General Subfund (00100)	Police	P1600 – Deputy Chief Administration	\$288,255	
General Subfund (00100)	Police	P6100 – West Precinct	\$426,775	
General Subfund (00100)	Police	P6200 – North Precinct	\$166,771	
General Subfund (00100)	Police	P6500 – South Precinct	\$166,770	
General Subfund (00100)	Police	P6600 – East Precinct	\$36,768	
General Subfund (00100)	Police	P6700 – Southwest Precinct	\$166,770	
General Subfund (00100)	Police	P7100 – Violent Crimes	\$234,282	
General Subfund (00100)	Police	P7900 – Special Victims	\$585,706	
TOTAL			\$4,882,208	

*See budget book to obtain the appropriate Budget Control Level for your department.

Notes to Appropriations Table: Spending of the appropriation in this section is contingent upon ARRA funds being granted to, and received by, the City.



Anticipated Revenue/Reimbursement: Resulting From This Legislation: *This table should reflect revenues/reimbursements that are a direct result of this legislation. In the event that the issues/projects associated with this ordinance/resolution have revenues or reimbursements that were, or will be, received because of previous or future legislation or budget actions, please provide details in the Notes section below the table.*

Fund Name and Number	Department	Revenue Source	2009 Revenue	2010 Revenue
General Subfund (00100)	Police	Federal Bureau of Justice Assistance	\$4,882,208	
TOTAL			\$4,882.208	

Notes:

Total Regular Positions Created, Modified, Or Abrogated Through This Legislation, Including FTE Impact: *This table should only reflect the actual number of positions affected by this legislation. In the event that positions have been, or will be, created as a result of other legislation, please provide details in the Notes section below the table.*

Position Title and Department	Position # for Existing Positions	Fund Name & #	PT/FT	2009 Positions	2009 FTE	2010 Positions*	2010 FTE*
Planning & Development Specialist, Sr.		General Subfund (00100)	Part Time	.50	.50	.50	.50
Accounting Tech III		General Subfund (00100)	Part Time	.50	.50	.50	.50
TOTAL				1	1	1	1

* 2010 positions and FTE are total 2010 position changes resulting from this legislation, not incremental changes. Therefore, under 2010, please be sure to include any continuing positions from 2009.

Notes:

- **Do positions sunset in the future?** Yes, the halftime Accounting Tech, III and halftime Planning & Development Specialist, Sr. positions sunset when grant funding is no longer available.

Spending/Cash Flow: *This table should be completed only in those cases where part or all of the funds authorized by this legislation will be spent in a different year than when they were appropriated (e.g., as in the case of certain grants and capital projects). Details surrounding spending that will occur in future years should be provided in the Notes section below the table.*

Fund Name & #	Department	Budget Control Level*	2009 Expenditures	2010 Anticipated Expenditures
General Subfund (00100)	Police	PC1000-Chief of Police	\$2,810,111	
General Subfund (00100)	Police	P1600 – Deputy Chief Administration	\$72,064	\$144,128
General Subfund (00100)	Police	P6100 – West Precinct	\$134,270	\$195,004
General Subfund (00100)	Police	P6200 – North Precinct	\$69,269	\$65,002
General Subfund (00100)	Police	P6500 – South Precinct	\$69,269	\$65,001
General Subfund (00100)	Police	P6600 – East Precinct	\$36,768	
General Subfund (00100)	Police	P6700 – Southwest Precinct	\$69,269	\$65,001
General Subfund (00100)	Police	P7100 – Violent Crimes	\$58,571	\$117,141
General Subfund (00100)	Police	P7900 – Special Victims	\$146,427	\$292,853
TOTAL			\$3,466,015	\$944,129

Notes: It is anticipated at least two thirds of the grant funds will be spent in 2009 because ARRA funding is intended to be used as quickly as possible. Some funding will continue to 2011 due to positions being funded beyond one year, and some IT projects proposed by several jurisdictions may take longer than 2009 to implement and fully spend.

What is the financial cost of not implementing the legislation? Without this legislation, the City will not receive \$4,882,208 in revenues to support important law enforcement and crime prevention programs throughout King County.

- **Does this legislation affect any departments besides the originating department?**
No

What are the possible alternatives to the legislation that could achieve the same or similar objectives? Acceptance of the grant award is a prerequisite for the receipt of these federal economic stimulus funds. There are no alternatives that could achieve the same or similar objectives.

- **Is the legislation subject to public hearing requirements:** While this ordinance does not require a public hearing, one is required by the federal grant guidelines. That hearing will be conducted in advance of a Council vote on appropriating the funds authorized by this legislation.
- **Other Issues:**

Diane Pilon/DP
File Name – SPD ARRA JAG Grant FISC
August 11, 2009
Version # 3

Please list attachments to the fiscal note below:





City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

August 25, 2009

Honorable Richard Conlin
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Conlin:

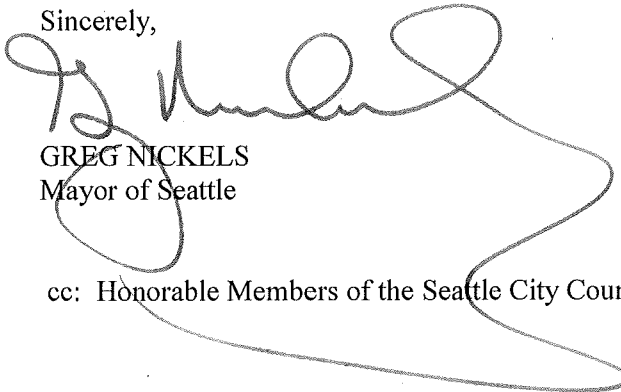
I am pleased to transmit the attached proposed Council Bill, which accepts \$4,882,208 in federal stimulus Justice Assistance Grant (JAG) Program funds through the US Department of Justice (DOJ), Bureau of Justice Assistance. The Council Bill also increases appropriations to reflect the anticipated receipt and expenditure of these funds.

The American Recovery and Reinvestment Act (ARRA) of 2009 has allocated \$1,970,933,000 to eligible local governments through a formula allocation based on population and Part I Crime Statistics. The City of Seattle will serve as the fiscal agent for this award and has negotiated the allocation of funds with 18 jurisdictions in King County. Details about the other jurisdictions' awards are included in the attached Fiscal Note.

The City's allocation of federal stimulus JAG Program funds is \$2,072,097. These funds will support the City's efforts to preserve six Crime Prevention Coordinator positions and seven Victim Advocate positions, and purchase 126 tasers. In addition, the grant will fund a half-time Grant Coordinator and half-time Accounting Technician to provide oversight on behalf of the City and the 18 other jurisdictions throughout King County.

Thank you for your consideration of this legislation. Should you have questions, please contact Diane Pilon at 386-1996.

Sincerely,



GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

600 Fourth Avenue, 7th Floor, P.O. Box 94749, Seattle, WA 98124-4749

Tel: (206) 684-4000, TDD: (206) 615-0476 Fax: (206) 684-5360, Email: mayors.office@seattle.gov

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